

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 18

April 23, 2002

SUBJECT: REVISION TO SPECIAL ORDER NO. 27, 2001 -
"INVESTIGATING AND ADJUDICATING NON-CATEGORICAL USE OF
FORCE INCIDENTS"

PURPOSE: In an effort to streamline the use of force reporting process and to facilitate the investigation of Non-Categorical use of force incidents, this Order revises Special Order No. 27, 2001 (SO 27), "Investigating and Adjudicating Non-Categorical Use of Force Incidents." This Order also makes minor modifications to the Non-Categorical Use of Force Report, Form 1.67.05, and the Non-Categorical Use of Force Internal Process Report, Form 1.67.04.

PROCEDURE:

I. NON-CATEGORICAL USE OF FORCE REPORT, FORM 1.67.05 - REVISED. The Non-Categorical Use of Force Report, Form 1.67.05, has been revised.

A. Use of Form. This form is completed for all reportable Non-Categorical use of force incidents.

B. Completion. Completion of this form has changed. The following sections are affected:

1. Control of Suspect. If a warning was not required prior to the application of a use of force option, the "Not required" box shall be checked. This eliminates the necessity to document why a warning was not given in situations where one was not required.

2. Chemical Agent. Supervisors completing a Non-Categorical Use of Force Report shall document either the date of manufacture (MFG) or date of expiration (whichever applies) marked on the chemical agent canister(s) used during the use of force.

3. Beanbag Shotgun/Other Less Lethal Device(s). All applications of the Beanbag Shotgun, 37 mm, 40 mm, or Compressed Air Projectile System shall be documented in the "Beanbag Shotgun/Other Less Lethal Device(s)" section. Supervisors shall

check the appropriate box and indicate the specific less lethal device(s) used.

C. Distribution. Distribution of the form has not changed.

II. NON-CATEGORICAL USE OF FORCE INTERNAL PROCESS REPORT, FORM 1.67.04 - REVISED. The Non-Categorical Use of Force Internal Process Report, Form 1.67.04, has been revised.

A. Use of Form. This form records the findings of the involved employee's Area/division commanding officer(s), bureau commanding officer, and the Commanding Officer, Risk Management Group (RMG), for all Non-Categorical use of force incidents.

B. Completion. Completion of the Non-Categorical Use of Force Internal Process Report (IPR) has changed. Commanding officers shall review and sign the IPR, ensuring that **both** the "Date Reviewed" and the "Date Approved" are indicated. The rationale for sending an investigation back for additional investigative requirements shall be documented under the "Additional Investigative Needs" section of the first IPR. It is not necessary to document the same rationale on the other IPRs involving the same incident.

Note: Any additional investigation or other changes required prior to final approval by the Commanding Officer, RMG, shall be incorporated into the Non-Categorical Use of Force Report.

C. Distribution. Distribution of this form has not changed.

III. INVESTIGATING A NON-CATEGORICAL USE OF FORCE INCIDENT.

Completing the Narrative. Supervisors completing the Non-Categorical Use of Force Report shall no longer include a "Use of Force Summary" heading in the narrative. The incident and the use of force shall be summarized in the narrative under the heading, "Incident Overview." All information pertinent to the use of force shall be included under this heading. Additionally, supervisors shall no longer include paraphrased witness statements under the "Witness Statement(s)" heading. Reviewers shall utilize the full witness statements taken by the

supervisor that are attached to the Non-Categorical Use of Force Report.

Note: Other than the elimination of paraphrased statements, the "Witness Statement(s)" section remains unchanged.

IV. ADJUDICATING A NON-CATEGORICAL USE OF FORCE INCIDENT.

Commanding Officer's Responsibility. The requirement to forward the IPR and related reports to the bureau commanding officer within 14 days has been modified. Non-Categorical use of force investigations shall be reviewed by Area/division commanding officers within 14 days of the incident, unless a member of the chain of command reviewing the investigation detects a deficiency in the investigation, in which case the review shall be completed within a period of time reasonably necessary to correct such deficiency in the investigation or reports. Upon Area/division commanding officer approval, the IPR shall be forwarded to the bureau immediately. Generally, the IPR should be at the bureau for review within 21 days of the incident.

FORM AVAILABILITY: Copies of the revised Non-Categorical Use of Force Report, Form 1.67.05, and the Non-Categorical Internal Process Report, Form 1.67.04, are attached for duplication and immediate use. The revised forms will also be available on the Local Area Network.

AMENDMENTS: The appropriate amendments to the Department Manual will be made in conjunction with the amendments for Special Order No. 27, 2001.

AUDIT RESPONSIBILITY: The Commanding Officer, RMG, shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.

BERNARD C. PARKS
Chief of Police

Attachments

DISTRIBUTION "A"